

Exhibit 7

Part 1

1
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK
4 06 Civ. 0589 (CGE)

5 -----x
6 ANUCHA BROWNE-SANDERS,

7 Plaintiff,

8 - against -

9 MADISON SQUARE GARDEN, L.P., ISIAH LORD
10 THOMAS, III, and JAMES DOLAN,

11 Defendants.

12 -----x

13 November 10, 2006

14 10:10 a.m.

15 VIDEOTAPE DEPOSITION of JOHN D.
16 MORAN, taken by the Plaintiff, pursuant to
17 Notice, held at the offices of Vladreck
18 Waldman Elias & Engelhard, P.C, 1501
19 Broadway, New York, New York, before
20 Debbie Zaromatidis, a Shorthand Reporter
21 and Notary Public of the State of New
22 York.

23

24

25

<p>1 MORAN 2 that there was an issue in her area, and 3 that in fact she had -- by the time she 4 had called me she had already investigated 5 it, which -- which was a problem for me 6 because that is not the process. The 7 process is that if she receives a 8 complaint, she should bring her complaint 9 to me, and I'm to do the investigating, 10 and the reason I say that was a problem 11 was because the individuals she was 12 interviewing were people in her 13 department. They have to work together. 14 They have a personal relationship. It's, 15 you know, in a sense that -- and I don't 16 think it is best that the supervisor 17 interview their own subordinates in terms 18 of that subordinates might not be as 19 forthcoming, and they might not be -- if 20 you are not trained, you may be tipping 21 what you want them to say. 22 But at any rate she did do that. 23 She called me up. I immediately went to 24 her office, and she relayed to me what she 25 discovered. She had interviewed actually</p>	<p>70 1 MORAN 2 she sat in with me, and then I believe she 3 conducted one interview on her own of an 4 employee. 5 Q. You referred in your earlier 6 answer to Ms. Browne-Sanders having what 7 you say conducted her own investigation 8 about what -- Mr. Gonsalves' conduct? 9 A. Yes. 10 Q. And you said that she had you 11 believe interviewed two people? 12 A. Yes. 13 Q. Who did she interview? 14 A. [REDACTED] 15 [REDACTED] 16 Q. Both of those individuals 17 reported to Ms. Browne-Sanders indirectly? 18 A. Indirectly, yes. 19 Q. Are you aware whether 20 Ms. Browne-Sanders discussed the issue of 21 Mr. Gonsalves' conduct with Steve Mills 22 before calling you about it? 23 A. It's my understanding that she 24 did call him first, and I believe she sent 25 us both an E mail around that same time,</p>
<p>1 MORAN 2 a couple of people, more than one, and I 3 heard what she had to say, and then I 4 conducted my own investigation. 5 Q. When you were conducting your 6 own investigation, did you do that 7 investigation with anyone else? 8 A. A couple of the -- one -- at 9 least one of the interviews that -- there 10 were other people present. Anucha was 11 present, and I believe Karen Buchholz was 12 present, but they weren't -- they 13 weren't -- they weren't conducting the 14 investigation at that point. 15 Q. Is there a woman by the name of 16 Anne Jackson on your staff? 17 A. Yes. 18 Q. Was she involved in the 19 investigation at all? 20 A. She was involved in a piece of 21 it, yes. 22 Q. What piece was she involved in? 23 A. I believe she interviewed one or 24 two of the individuals -- actually on a 25 couple of the interviews she -- that I did</p>	<p>71 1 MORAN 2 either that day or the next day outlining 3 some of her findings. 4 Q. Did you talk to Mr. Mills about 5 it -- the allegations against Mr. 6 Gonsalves at all? 7 A. I'm -- I'm not sure that I did. 8 I'm not sure that I did. 9 Q. At any point? 10 A. I don't believe so. I don't 11 recall. 12 Q. We started this line of 13 questioning because I had asked you 14 whether or not there were any instances in 15 in which you conducted an investigation 16 but didn't speak to the person who was 17 accused of wrongdoing. 18 A. Yes. 19 Q. And I take it you didn't speak 20 to Mr. Gonsalves about the allegations 21 against him? 22 A. No, I didn't. 23 Q. Why not? 24 A. There -- there are very few 25 cases, and this was one of them,</p>

19

VERITEXT/NEW YORK REPORTING COMPANY

212-267-6868

516-608-2400

<p>1 MORAN 2 that -- that was very clear cut in my 3 mind. We had multiple witnesses who 4 corroborated each other's experiences. 5 When he was making very inappropriate 6 comments, others overheard it. So we have 7 four, five witnesses who -- at periodic 8 different times overheard his again 9 inappropriate comments. It was very -- in 10 my mind it was very clear cut that he 11 needed to be terminated.</p> <p>12 Q. When you say inappropriate 13 comments, what sort of comments are you 14 referring to?</p> <p>15 A. Well, one that comes to mind is 16 he said to one of the women, gee, you look 17 nice. I bet your pussy looks nice, too. 18 He said I hear -- to another one he said I 19 hear you give good head or blow jobs. I'm 20 not sure which. To one of the women he 21 sent an E mail, which I had -- she saved 22 it and sent me a text message, and it was 23 Thanksgiving time, and he said -- she said 24 something about happy Thanksgiving he says 25 yes, you know, when can I stick</p>	<p>74</p> <p>1 MORAN 2 that Anne Jackson interviewed. 3 Q. When you do a harassment 4 investigation, is it your belief that in 5 order to conclude that a violation of the 6 company's anti harassment -- harassment 7 policies occurred, there has to be 8 corroboration of what the complaining 9 witness has -- has said?</p> <p>10 MR. GREEN: Objection to form. 11 You may answer.</p> <p>12 A. Yeah. It would -- it would 13 depend on the circumstances, but it is 14 certainly the key -- a key element on it.</p> <p>15 Q. Are there any instances 16 in -- where you have done a harassment 17 investigation and you have credited what a 18 complainant has said even though there 19 wasn't independent corroboration of 20 the -- the allegations?</p> <p>21 MR. GREEN: Same objection to 22 form. You can answer, Mr. Moran.</p> <p>23 A. Not that I'm aware of.</p> <p>24 MR. GREEN: Kevin, it is 11:30. 25 Good time for a few minutes.</p>
<p>1 MORAN 2 the -- when can I stick it in. There were 3 others, but those are the ones that come 4 to mind.</p> <p>5 Q. With respect to the comments 6 that were made, not the text message, do 7 you recall were there witnesses to those 8 comments being made other than the people 9 who were --</p> <p>10 A. It is --</p> <p>11 Q. I just have to finish the 12 question.</p> <p>13 A. Sorry.</p> <p>14 Q. With respect to the comments 15 that you've referred to, were there 16 witnesses to the comments other than the 17 people who they were directed at?</p> <p>18 A. I -- I understand the -- I think 19 on two of the occasions, the one that you 20 look nice today I bet your pussy does too, 21 I understand there was a witness.</p> <p>22 Q. Who was the witness in that 23 case?</p> <p>24 A. I'm not going to retrieve the 25 name, but I believe it was the individual</p>	<p>75</p> <p>1 MORAN 2 THE VIDEOGRAPHER: We have come 3 to the end of the tape 1. It is now 11:28 4 a.m. We are going off the record. End of 5 tape 1.</p> <p>6 (Recess taken.)</p> <p>7 THE VIDEOGRAPHER: This is the 8 beginning of tape number 2. We are back 9 on the record at approximately 11:43 a.m.</p> <p>10 MR. MINTZER: For the record, I 11 think we should just state that we had a 12 couple of other lawyers join us from when 13 we started. If you want to note your 14 appearance.</p> <p>15 MR. GREEN: Sure. I will note 16 it for you. Brian Cesaratto and Teresa 17 Holland of Epstein Becker.</p> <p>18 MS. VLADICK: Didn't you forget 19 a name? Epstein Becker.</p> <p>20 (Laughter.)</p> <p>21 MR. GREEN: I have always done 22 that.</p> <p>23 Q. Mr. Moran, in your investigation 24 of Mr. Gonsalves' conduct, did it come to 25 your attention that there was any</p>

<p>1 MORAN 2 inappropriate conduct by any other 3 employee of Madison Square Garden? 4 MR. GREEN: I object to form. 5 You may answer, Mr. Moran. 6 A. I'm thinking. Nothing comes to 7 mind. 8 Q. Did you learn about any 9 inappropriate conduct by Stephon Marbury? 10 A. Stephon Marbury's name came up. 11 I don't know that I would have necessarily 12 categorize it as inappropriate. 13 Q. How did Stephon Marbury's name 14 came up -- come up? 15 A. I'm trying to get the names 16 right. I believe [REDACTED], [REDACTED] 17 [REDACTED] and [REDACTED] is the -- 18 one of the names I couldn't -- couldn't 19 recall before -- went to a club in I 20 believe the Bronx. Not -- no, Westchester 21 it was. I believe it was [REDACTED] 22 [REDACTED], and [REDACTED] and [REDACTED] 23 had been there Before and offered to take 24 her there [REDACTED], and while they 25 were there they ran into Hassan who was</p>	<p>78 1 MORAN 2 going to his car. Mr. Marbury -- Stephon 3 Marbury was in his vehicle. I'm not sure 4 what type it was, but he was in his 5 vehicle and asked [REDACTED] to -- to join 6 him in his vehicle. 7 Q. And what did you learn about 8 what happened in the vehicle? 9 A. I understand that from -- this 10 is strictly from [REDACTED], that she went 11 into his vehicle. She indicated that they 12 had sex, and she didn't tell me what that 13 meant, and then she left the vehicle, and 14 Hassan she related drove him -- drove her 15 home. 16 Q. What was Mr. -- Ms. [REDACTED] 17 position at Madison Square Garden at this 18 time? 19 A. I believe at that point she was 20 [REDACTED] 21 Q. Did you inquire at all about 22 whether Ms. [REDACTED] gave consent to have 23 sex with Mr. Marbury? 24 A. Yes, I did. 25 Q. What were you told?</p>
<p>79 1 MORAN 2 there at the club, and Stephon Marbury was 3 at the club. I don't know whether -- I 4 don't know whether Hassan and Stephon were 5 together, but -- but I was told they were 6 at the club. So Stephon's name came up in 7 that context. 8 Q. Did you learn anything else 9 about Mr. Marbury's conduct in connection 10 with your investigation? 11 A. After the -- after the -- well 12 at some point in the evening the three 13 women decided to go home, and they were in 14 the parking lot, and Hassan, as it was 15 relayed to me, said to [REDACTED], you know, 16 I'll -- I can give you a ride home because 17 I guess she -- I believe she lived 18 somewhere -- had an apartment somewhere 19 around [REDACTED] and she agreed to do that 20 and went with him. 21 Q. With Mr. Gonsalves? 22 A. With Mr. Gonsalves, yes. 23 Q. And how did Mr. Marbury get 24 involved in this? 25 A. And then -- well, they were</p>	<p>81 1 MORAN 2 A. I was told -- well, I asked 3 [REDACTED] directly. Actually when I was 4 interviewing her, Rochelle Noel was with 5 me, and I believe it was Rochelle who 6 asked her directly did you get into the 7 van voluntarily, and she said yes, and did 8 you -- was he -- did he force you to do 9 anything. She said no, and it was 10 actually asked -- I think I asked her are 11 you saying it was consensual, and she said 12 yes. 13 Q. Did you have any discussions 14 about that allegation with anyone else 15 other than Ms. [REDACTED]? 16 A. Well, when we interviewed [REDACTED] 17 [REDACTED] and [REDACTED], we asked 18 them to take us through the evening, and 19 the last they remember -- I don't -- I 20 don't believe they are aware of -- of what 21 happened with [REDACTED] and Stephon Marbury 22 because she left with Hassan, and they 23 went home, and they might know because 24 maybe -- when I did the investigation 25 I -- I felt fairly certain that they did</p>

<p>1 MORAN 2 not know of -- of this consensual sex. 3 Q. Did they -- did anyone tell you 4 that Ms. █████ had been drinking alcohol 5 that night? 6 A. They said that -- that they had 7 had a couple of drinks. As I recall -- as 8 I recall, someone said they didn't think 9 she was -- I would have to check my notes, 10 but -- well, let me answer your question. 11 I am sorry. Yes, they had had drinks. 12 Q. And Ms. █████ had had alcohol 13 that night? 14 A. Yes. 15 Q. Did you have any conversation 16 about that allegation with Karen Buchholz? 17 A. Karen -- Karen was aware of 18 the -- of the -- █████ I believe had 19 told both Anucha and Karen what happened. 20 So -- I mean Karen wasn't there. So 21 we -- we might have had a conversation 22 about it, but I don't know that -- I'm not 23 sure what Karen -- I'm not sure what 24 Karen -- I'm just trying to think. Well, 25 as I said, Karen was aware of the</p>	<p>82 1 MORAN 2 Q. Did Ms. Buchholz tell you that 3 █████ felt like she had to do it with 4 Mr. Marbury? 5 MR. GREEN: Objection to form. 6 You may answer, Mr. Moran. 7 A. Yes, I -- I don't know what her 8 exact words were, but it was something to 9 the effect that I recall it was more like 10 if it wasn't Stephon Marbury I probably 11 wouldn't have done it. 12 Q. Did Ms. Buchholz tell you that 13 Ms. █████ had said to her that she felt 14 like a prostitute? 15 MR. GREEN: I am going to 16 object. I am going to ask also if you are 17 reading from any document would you please 18 give the witness the opportunity to read 19 the document you are reading from. 20 Otherwise, I will instruct him not to 21 answer to the extent your question is 22 coming from a document that you have 23 access to and could share with him on a 24 nonprivileged basis. 25 MR. MINTZER: If you are going</p>
<p>1 MORAN 2 situation. 3 Q. Well, do you recall what Karen 4 told you about anything more than what you 5 have said? 6 A. I'm not sure it was Karen. 7 Someone made the statement because I don't 8 believe she made -- I'm not sure █████ 9 made it to me, but █████ made a 10 statement to someone that she might not 11 have gotten in the car if it hadn't been 12 Stephon. 13 Q. So you think that that was 14 Ms. Buchholz who told you that or someone 15 else? 16 A. I'm not sure who it was. 17 Q. Did -- 18 A. I think -- I think it was 19 Anucha. It could have been both actually, 20 but -- 21 Q. Did you discuss -- did you 22 separately interview Ms. Buchholz and 23 Ms. Browne-Sanders in your investigation 24 of the Gonsalves issues? 25 A. Yes. Yes.</p>	<p>83 1 MORAN 2 to object and instruct him not to answer, 3 we are going to call the court based on 4 that. You have no right to instruct him 5 not to answer. Whether I am or am not 6 reading from a document, I have a right to 7 probe his recollection. If I want to ask 8 him a question without giving him the 9 document, that is perfectly legitimate. 10 Tell me if we are going to have continual 11 directions not to answer on that basis, 12 then I am afraid we are going to have to 13 call the court. 14 MR. GREEN: You can call the 15 court any time you like, Kevin. My 16 objection is to the extent you are reading 17 from a document that is not privileged, in 18 fairness you should not test the witness' 19 memory but give him a chance to see what 20 you are reading from. If your question is 21 a paraphrase, that is different. 22 MR. MINTZER: You can object. 23 My only concern is if you are going to 24 direct him not to answer on that basis, we 25 are going to have to call the court.</p>

<p>1 MORAN 2 MR. GREEN: Well, let's call 3 the court. 4 THE VIDEOGRAPHER: We are now 5 going off the record. The time is 11:53 6 a.m. 7 (Discussion held off the 8 record.) 9 THE VIDEOGRAPHER: We are going 10 back on the record at approximately 11:57 11 a.m. 12 Q. What did -- what do you recall 13 Ms. Buchholz telling you about what 14 [REDACTED] relayed about how she felt 15 about the interaction with Mr. Marbury? 16 MR. GREEN: Objection to form. 17 You may answer. 18 A. As I recall, she felt very 19 poorly about herself and was sorry she did 20 it, but -- and again made some statement 21 that if it hadn't -- if it hadn't been 22 Stephon Marbury I don't think I would have 23 done it or something to that effect. 24 Q. Did you ask Ms. Buchholz -- 25 MR. MINTZER: Well, strike that.</p>	<p>86 1 MORAN 2 have given a -- the witness a four-page 3 document that's Bates stamped MSG 00277 4 through 00280. 5 Q. Let me know after you have had a 6 chance to review it, Mr. Moran. 7 (Pause.) 8 MR. GREEN: While the witness 9 is reading that, to avoid some unnecessary 10 paperwork, Kevin. Any objection to our 11 noting as confidential all accusations of 12 inappropriate conduct with respect to the 13 names and the incidents involved? 14 MR. MINTZER: Of this matter? 15 MR. GREEN: How about during 16 this deposition today, all allegations of 17 impropriety made by anyone against anyone 18 marked as confidential. 19 MR. MINTZER: Including the 20 claims that Ms. Browne-Sanders has made? 21 MR. GREEN: No, not 22 Browne-Sanders. We have heard this 23 morning so far alleged other incidents, 24 what is coming up now with respect to 25 Stephon Marbury and Hassan Gonsalves.</p>
<p>1 MORAN 2 Q. Did Ms. Buchholz tell you 3 anything in words or substance that she 4 didn't feel that Ms. [REDACTED] was very 5 convincing in her statement that it 6 wasn't -- that the interaction was 7 consensual? 8 MR. GREEN: Objection to form. 9 You may answer. 10 Q. Let me try to ask it a little 11 better. 12 Did Ms. Buchholz tell you that 13 in her view Ms. [REDACTED] was not very 14 convincing in her statement that the 15 interaction between her and Mr. Marbury 16 had been consensual? 17 MR. GREEN: Objection to form. 18 You may answer. 19 A. I don't recall that. 20 MR. MINTZER: Can we mark this 21 as Moran 1. 22 (Moran Exhibit 1 marked for 23 identification.) 24 (Document handed to witness.) 25 MR. MINTZER: For the record, I</p>	<p>87 1 MORAN 2 MR. MINTZER: Why don't we say 3 I -- I don't think we -- I don't have an 4 objection to at this stage treating them 5 as confidential. If we upon looking at 6 the transcript think otherwise, we'll 7 notify you. 8 MR. GREEN: Okay. 9 A. I'm finished reading it. 10 Q. Okay. Can you tell me what 11 these notes are, do you know? 12 A. It looks like it was a phone 13 conversation on November 29 of '05 that I 14 had with Karen Buchholz. 15 Q. These are your notes, right? 16 A. These are my notes. 17 Q. And these are notes that you 18 took in connection with your investigation 19 of Mr. Gonsalves' alleged misconduct? 20 A. Yes. 21 Q. Having reviewed the notes, does 22 it refresh your recollection that 23 Ms. Buchholz had told you that Ms. [REDACTED] 24 was not convincing in her statement that 25 she did not say no to Mr. Marbury?</p>

<p>1 MORAN 2 MR. GREEN: Objection to form. 3 You may answer. 4 A. Correct. She -- my -- my notes 5 reflect that she said Karen -- Karen felt 6 that -- her opinion was that [REDACTED] was 7 not real convincing. 8 Q. And Ms. [REDACTED] also told you 9 that that Mrs. -- 10 MR. MINTZER: Strike that. 11 Q. Ms. Buchholz also told you that 12 Ms. [REDACTED] had said to her that she felt 13 like she had to do it? 14 MR. GREEN: Objection to form. 15 You may answer, Mr. Moran. 16 A. Yes, she said that -- she 17 related to me that [REDACTED] said to her 18 that she felt like she had to do it, which 19 I'm not sure it is totally consistent with 20 what [REDACTED] told me when I interviewed 21 her. 22 Q. Just to take a step back, when 23 you take notes of conversations such as 24 this do you make an attempt to write down 25 everything that you regard as relevant to</p>	<p>90 1 MORAN 2 have had made after the conversation you 3 had with Ms. Buchholz? 4 A. Probably on 00278. 5 Q. Um hum. 6 A. Where it says "get date," 7 that -- that was mostly likely afterwards 8 because I have a blank to the right. 9 Q. Um hum. 10 A. I think -- 00280, if you go to 11 the fifth line from the bottom, 12 it's -- there are three stars there. It 13 says "when/time frame." It would seem to 14 be after the situation with Stephon. That 15 might have been afterwards. I'm not sure. 16 And perhaps the -- perhaps the sentence 17 after that. I'm not -- I'm not sure. 18 Q. Other than those notationss, do 19 you think you took the notes during your 20 conversation with Ms. Buchholz? 21 A. Yes. 22 Q. Did you find out what 23 Ms. [REDACTED] was? 24 A. I did, but I'm not going to 25 remember it.</p>
<p>1 MORAN 2 the investigation? 3 A. Yes, I try to. 4 Q. Okay. And I take it that 5 you're -- you're not trying to take down a 6 verbatim transcript of what someone has 7 said to you? 8 A. I -- I try to -- it's -- during 9 a conversation I don't -- you know, I 10 don't take shorthand, and as you can see I 11 am sort of -- I am writing -- I am trying 12 to write down as much as I can. If -- if 13 time allows, I try to write it down. 14 Q. Okay. Do you ever go back after 15 a conversation is done and supplement your 16 notes or do you generally simply rely on 17 the notes as you take them during a 18 conversation? 19 A. I -- I might do that on 20 occasion. Typically it would be something 21 in the margin, so I could tell the 22 difference, try to make sure I could tell 23 the difference. 24 Q. So with respect to Moran 1, do 25 you see any notation you think you might</p>	<p>91 1 MORAN 2 Q. Do you recall approximately how 3 old she was at this time? 4 A. No. 5 Q. Can I ask you to take a look at 6 page 278. Okay. 7 Q. The last line on the page says, 8 "[REDACTED] said she was pretty out of it." 9 A. Um hum. 10 Q. What does that refer to? 11 A. Again, that is -- talking with 12 Karen, that was a -- as much as possible a 13 quote from -- from Karen saying that 14 [REDACTED] said she was pretty out of it. 15 Q. Did you understand that to mean 16 that Ms. Buchholz had said that Ms. [REDACTED] 17 had told her that she had consumed alcohol 18 that evening? 19 MR. GREEN: Objection to form. 20 You may answer it. 21 A. I didn't ask specifics, but when 22 she said it I -- when she said I thought, 23 you know, that she might have had a couple 24 of drinks, but I didn't ask -- I didn't 25 ask about the alcohol at that time.</p>

<p>1 MORAN 2 Q. Did you ask Ms. [REDACTED] when you 3 spoke to her whether she had had alcohol? 4 A. I'm not sure. I don't recall. 5 Q. Did you learn in the 6 investigation that Mr. Marbury had sent 7 any text messages to Ms. [REDACTED] following 8 their encounter in the vehicle? 9 A. Right. I don't recall whether I 10 learned that from Karen's discussions with 11 [REDACTED] or my own, but I recall a 12 follow-up text from Stephon to her. I'm 13 not -- again, I'm not sure whether -- I'm 14 not sure whether [REDACTED] told me this 15 directly or I'm getting it from Karen, but 16 something to the effect of, you know, when 17 can I get -- when can I get some more of 18 that. 19 Q. Did you make any further 20 inquiries about those text messages after 21 you learned of it? 22 A. Yes. She -- 23 Q. Excuse me? 24 A. She said I'm not sure in what 25 context, but she said they stopped.</p>	<p>94 1 MORAN 2 was off premises. It was after work. It 3 was something that she said was 4 consensual, so I did not -- I did not feel 5 that it was something that violated the 6 company's policies. 7 Q. And is the same true for the 8 text messages that were sent? 9 A. The text messages were -- were 10 again between two individuals. 11 They -- there was no reporting 12 relationship. I viewed it as 13 outside -- outside of the workplace. 14 Q. Mr. Marbury is the -- one of the 15 star basketball players of the team; 16 correct? 17 A. That's correct. 18 Q. And Ms. [REDACTED], as you said, at 19 this time was an [REDACTED] 20 A. Yes. 21 Q. Did you consider that there was 22 any power imbalance in that pairing? 23 MR. GREEN: Objection to form. 24 You may answer, Mr. Moran. 25 A. I'm not sure what you mean</p>
<p>1 MORAN 2 Q. Who did, Ms. [REDACTED]? 3 A. Yes. Yes. 4 Q. When did she say that they 5 stopped? 6 A. I'm not sure of the exact time 7 frame. My sense was it was a month or so 8 that -- I don't think there were that many 9 of them, but I know she said they stopped. 10 Q. And was it your understanding 11 that there was more than one text message 12 sent? 13 A. I'm not really sure. I would 14 have to review my notes. 15 Q. Did any of what you learned in 16 connection with the allegations that were 17 made about what happened with Ms. [REDACTED] 18 and Mr. Marbury cause you concern about 19 whether Mr. Marbury had violated the 20 company's harassment or nondiscrimination 21 policies? 22 MR. GREEN: Objection to form. 23 You may answer. 24 A. Well, it was certainly something 25 I considered and looked at. It was -- it</p>	<p>95 1 MORAN 2 by -- 3 Q. Well, did you consider that 4 Ms. [REDACTED] may have been in a position 5 where she felt that she had to go along 6 with what Mr. Marbury wanted? 7 MR. GREEN: Objection to form. 8 You may answer. 9 A. Well, I did consider that, and 10 that is why I asked her and Rochelle Noel 11 who was with me asked her was she forced. 12 Was there any -- anything physical. She 13 said no and -- and told me it was 14 consensual. 15 Q. Okay. And did you have any 16 concern that notwithstanding her statement 17 that it was consensual, that she may have 18 felt as though she had to consent because 19 of who Mr. Marbury is? 20 MR. GREEN: Objection to form. 21 You may answer, Mr. Moran. 22 A. I -- I -- I took her at her 23 word. 24 Q. With respect to the text 25 messages, was it your belief that because</p>

<p>1 MORAN 2 those text messages were not sent on the 3 premises of Madison Square Garden that it 4 was not a violation of the company's 5 anti-harassment policy? 6 MR. GREEN: Objection to form. 7 You may answer, Mr. Moran. 8 A. I'm not sure -- the definitive 9 point for me wouldn't be whether it 10 was -- if one of their -- one or both 11 might have been on or one was on or off. 12 It was employees -- employees have a right 13 to have relationships even though they 14 work for The Garden. We don't prohibit 15 that as long as it is not a direct 16 reporting relationship, and if they are 17 text messaging each other, that is -- I 18 wouldn't consider that a violation. 19 Q. Well, I mean a text message that 20 says in substance, you know, when can I 21 get more of that, do you consider that to 22 be appropriate under all circumstances 23 unless it is not from a supervisor to 24 their subordinate? 25 MR. GREEN: Objection to form.</p>	<p>98 1 MORAN 2 MR. GREEN: Objection to form. 3 Asked and answered. You may answer again, 4 Mr. Moran. 5 A. I felt it was outside -- outside 6 of the company's -- outside of the 7 company's viewing. It was something that 8 he was doing on his own personal time. 9 Q. In the course of your 10 investigation into Mr. Gonsalves' conduct, 11 did you learn of any other inappropriate 12 conduct by Mr. Marbury other than with 13 respect to Ms. [REDACTED]?</p> <p>14 MR. GREEN: Objection to form. 15 Misstates prior testimony as to Mr. 16 Marbury. You may answer, Mr. Moran. 17 A. I am sorry. Would you -- would 18 you repeat --</p> <p>19 Q. Other than Mr. Marbury's conduct 20 with respect to Mr. -- Ms. [REDACTED], did you 21 learn of any inappropriate conduct by 22 Ms. Marbury -- Mr. Marbury in connection 23 with your investigation of Ms. -- Mr. 24 Gonsalves' alleged misconduct?</p> <p>25 MR. GREEN: Objection to form.</p>
<p>1 MORAN 2 Asked and answered. You may answer again, 3 Mr. Moran. 4 A. I -- I don't get into value 5 judgements as to what people are saying to 6 one another when they're not, you 7 know -- when they are conducting their own 8 private business. 9 Q. So you considered what went on 10 between Mr. Marbury and Ms. [REDACTED] their 11 own private business? 12 A. Yes, I did. 13 Q. Did you make any inquiries of 14 Mr. Marbury about what had transpired? 15 A. No, I didn't. 16 Q. Did you make any effort to 17 communicate to Mr. Marbury that he -- he 18 needed to be cognizant of the company's 19 anti-harassment policy? 20 MR. GREEN: Objection to form. 21 You may answer, Mr. Moran. 22 A. No, I didn't. 23 Q. Is there any reason why you 24 didn't explore any of these issues with 25 Mr. Marbury?</p>	<p>99 1 MORAN 2 You may answer. 3 A. Nothing -- nothing comes to mind 4 at the moment. 5 Q. Did you learn that in the course 6 of that investigation that Mr. Marbury had 7 made inappropriate comments about 8 Ms. Browne-Sanders? 9 A. I -- I did learn that Mr. 10 Marbury called a gentleman named Dan 11 Gladstone and made comments -- according 12 to Mr. Gladstone he said that Stephon 13 called him, and they -- made comments 14 towards Anucha. 15 Q. How did you learn that? 16 A. From Mr. -- from Mr. Gladstone. 17 Q. Were you speaking with Mr. 18 Gladstone in the context of your 19 investigation of Mr. Gonsalves? 20 A. I believe so, yes. 21 Q. Mr. Gladstone relayed to you 22 what the comments were that Mr. Marbury 23 made about Ms. Browne-Sanders? 24 A. Yeah. Just the -- back up. I 25 think the context came not so much</p>

<p>1 MORAN 2 in -- in the investigation of Mr. 3 Gonsalves, but -- and I'm not clear on the 4 context, but Anucha had asked him to put 5 in writing a conversation that took place 6 maybe a year earlier, and I'm not sure 7 that it -- I'm not sure that it had any 8 relationship at all to the investigation. 9 It was something that -- for whatever 10 reasons I'm not sure, but Anucha said to 11 him she -- we -- we had a conversation. 12 You told me about a year ago, what -- 13 whatever the time frame was, that Stephon 14 had called you and made remarks about me. 15 Can you now put that in writing for me, 16 and he did I guess. He -- I know he did, 17 and I don't -- I don't think it had 18 anything to do with the Gonsalves 19 investigation. I mean it might have come 20 up during that time frame, but it wasn't 21 directly related to my investigation. 22 Q. Does Mr. Gonsalves have any 23 relation to Mr. Marbury? 24 A. He is referred to as his cousin, 25 but I don't know that to be accurate.</p>	<p>102 1 MORAN 2 Q. What did Mr. Gladstone tell you 3 that Mr. Marbury had said? 4 MR. GREEN: Objection to form. 5 You may answer. 6 A. I'm not going to be able to 7 quote it correctly, but he said that he 8 was -- called Anucha names, you know, that 9 she's not running this place, and he -- he 10 might have used the term bitch, ho. I 11 don't know. It was that type of language. 12 He was very upset. 13 Q. Mr. Gladstone was upset? 14 A. No, Mr. Marbury was upset 15 with -- when he was -- he was making these 16 comments towards Anucha. I'm not sure 17 why. 18 Q. Did you ever see an E mail in 19 which these comments were reflected? 20 A. Yes, I did. 21 Q. And did you see that E mail at 22 around the time you were investigating Mr. 23 Gonsalves' conduct? 24 A. Yes, I did. 25 Q. When you saw that E mail, were</p>
<p>1 MORAN 2 Q. Who told you that they were 3 cousins? 4 A. I -- it is sort of folklore 5 around. 6 Q. Do you have a basis to doubt 7 that they are cousins? 8 A. Someone had told me after 9 the -- after all of this that they weren't 10 in fact cousins, but to this day I don't 11 know. 12 Q. In the context of interviewing 13 Mr. Gladstone concerning Mr. Gonsalves' 14 conduct, did Mr. Gladstone make you aware 15 of Mr. Marbury's comments towards 16 Ms. Browne-Sanders? 17 A. He did. He -- again I am not 18 sure in what context. I'm not sure -- I'm 19 not sure why it came up because it didn't 20 seem to be relevant to investigating 21 Gonsalves' -- we are investigating what 22 Gonsalves did -- said, did or whatever to 23 these individuals. That -- it did come 24 up, but I don't -- I don't recall why. It 25 seemed extraneous to me.</p>	<p>103 1 MORAN 2 you concerned that Mr. Marbury's comments 3 were contrary to the company's 4 anti-harassment policy? 5 MR. GREEN: Objection to form. 6 You may answer. 7 A. Well, the comments -- the 8 comments concerned me, and, you know, in 9 terms of the policy, you know, everything 10 is -- needs to be looked at in context, 11 and I wasn't sure what the context was, 12 but the -- but the words concerned me. 13 Q. Well, did you make any effort to 14 find out what the context was? 15 A. It is my -- my understanding of 16 what the context was -- well, the call was 17 like -- the call we are talking about 18 didn't take place in November when -- when 19 the E mail was asked for. The call took 20 place -- I don't know -- six months or a 21 year earlier, and my understanding was 22 that Gon -- Hassan Gonsalves had been 23 forging the signature of a supervisor for 24 parking tickets, and it came to our 25 attention. Not my attention, it came to</p>

<p>1 MORAN 2 the department's attention, and so he was 3 reprimanded for that and told he would 4 have to repay the money and told he 5 couldn't park in that parking lot any 6 more, and I think that, if I have this 7 correct, that is when Stephon called Dan 8 Gladstone and said, you know, why are you 9 picking on, you know, Hassan, you know. 10 This is, you know -- I think he said this 11 is Anucha trying to -- she doesn't like me 12 or something like that and then said 13 whatever he said. 14 Q. Did you have any personal 15 knowledge of the issues related to Mr. 16 Gonsalves forging his -- 17 A. No. 18 Q. -- manager's signature? 19 A. No, that was actually the first 20 I had heard about it. 21 Q. You hadn't been involved in 22 investigating that? 23 A. No. 24 Q. So to be clear, your 25 understanding of the context was that Mr.</p>	<p>106</p> <p>1 MORAN 2 Anucha, and she didn't, you know -- she 3 didn't hear them. So that is -- as we 4 look at all the factors, that is certainly 5 a factor that we have to consider, you 6 know. If someone uses a curse word in a 7 conversation and it might be directed to 8 someone but it is not directed towards 9 them, I have to take that into -- that is 10 a factor I take into consideration. 11 Q. But you understood that 12 Ms. Browne-Sanders learned of these 13 comments, correct? 14 A. Yes, she -- she did. She asked 15 him to -- as I stated, she asked him to 16 put them in an E mail. 17 Q. Is it your understanding that is 18 how she learned of them, when Mr. 19 Gladstone put them in an E mail? 20 A. I think when it happened he had 21 made some comments to her, but -- Stephon 22 called and said some not nice things about 23 you, but at that time to my understanding 24 he did not elaborate what they were. Fast 25 forward to, you know, the -- a year later</p>
<p>107</p> <p>1 MORAN 2 Marbury made the comments to Mr. Gladstone 3 about Ms. Browne-Sanders because he was 4 upset that Mr. Gonsalves had been 5 reprimanded for forging his manager's 6 signature? 7 A. Well, I think he was upset 8 because he had lost his parking 9 privileges. 10 Q. His cousin had lost his 11 parking -- 12 A. I am sorry. Yes. His cousin 13 had lost his parking privileges. 14 Q. And his cousin had lost his 15 parking privileges because he was forging 16 his manager's signature? 17 A. That's correct. 18 Q. So understanding that context, 19 were you concerned that Mr. Marbury's 20 comments were a violation of the company's 21 anti-harassment policy? 22 MR. GREEN: Same objection as 23 to form. You may answer. 24 A. Well, they weren't 25 directed -- they weren't directed to</p>	<p>109</p> <p>1 MORAN 2 whenever it was, she said; you know, do 3 you remember that conversation you told me 4 about. I now want you to tell me in 5 detail in an E mail just what was said. 6 Q. And that understanding, does 7 that come from Mr. Gladstone or some other 8 source? 9 A. I'm sorry. I -- I'm -- would 10 you repeat that? 11 Q. You just said you had an 12 understanding about how a sequence of 13 events transpired. 14 A. That came from -- yes, that came 15 from Mr. Gladstone. 16 Q. Mr. Gladstone you understood was 17 one of the members of Ms. Browne-Sanders' 18 team? 19 A. Yes. 20 Q. And Mr. Gladstone reported to 21 Ms. Browne-Sanders indirectly? 22 A. Yes. 23 Q. So you had understood that she 24 learned from one of the people she 25 supervised that the star player or one of</p>

<p>1 MORAN 2 the star players for the Knicks had been 3 referring to her in derogatory terms, 4 correct? 5 A. Correct. 6 Q. And you understood that those 7 derogatory terms were in at least in part 8 gender based? 9 MR. GREEN: Objection to form. 10 You may answer, Mr. Moran. 11 A. I'm not sure what you mean. 12 Which words would have -- 13 Q. Well, you testified that your 14 recollection was Mr. Gladstone had said to 15 you something about 16 being -- Ms. Browne-Sanders being called a 17 ho and a bitch? 18 A. Um hum. 19 Q. You would agree with me that 20 those are gender-based terms? 21 MR. GREEN: Objection to form. 22 You may answer, Mr. Moran, if that is your 23 recollection. 24 A. Yeah. I do remember those 25 words, and it is -- one could certainly</p>	<p>110</p> <p>1 MORAN 2 A. That is fair to say, yes. 3 Q. Is it your testimony that you 4 had some concern about whether they were 5 contrary to the company's anti-harassment 6 policy? 7 A. Yes. 8 MR. GREEN: Objection to form. 9 Just give me a chance to object. 10 THE WITNESS: I am sorry. 11 MR. GREEN: You may answer. 12 Q. What did you do in -- in 13 response to those concerns? 14 A. I -- I didn't do anything. I 15 didn't do anything directly. The comments 16 were -- were conveyed to -- to -- other 17 managers were aware of those comments. 18 Q. What other managers were aware 19 of those comments? 20 A. Steve Mills would have been made 21 aware of the comments. 22 Q. How do you know that? 23 A. Because we were -- well, that 24 is -- I don't know that I do know that. I 25 just have a recollection of talking to him</p>
<p>1 MORAN 2 argue those are gender based, yes. 3 Q. Could one -- in your view, is 4 there an interpretation of those words 5 that are not gender based? 6 A. I have heard -- I have heard 7 guys call other guys ho, bitch. So 8 it's -- I don't know that that is -- it is 9 always -- 10 Q. Mr. Moran -- 11 A. It seems to be terms that people 12 use interchangeably with men and women. 13 Q. Mr. Moran, when a woman is 14 referred to as a bitch or a ho, do you 15 have any doubt in your mind that that is a 16 gender-based insult? 17 MR. GREEN: Objection to form. 18 You may answer Mr. Moran. 19 A. I -- I don't know. I don't 20 know. 21 Q. Okay. I think you said in one 22 of your earlier answers that you had some 23 concern about the comments -- 24 A. Um hum. 25 Q. Is that fair to say?</p>	<p>111</p> <p>1 MORAN 2 about it. 3 Q. Did you talk to 4 Ms. Browne-Sanders about those comments at 5 or around the time that Mr. Gonsalves was 6 being investigated? 7 A. Well, she talked to me about it. 8 She -- she is the one that brought it to 9 my attention. 10 Q. What did she say? 11 A. She wanted me to see -- she sent 12 me the E mail I believe and wanted me to 13 look at it. 14 Q. Was -- was she upset about it? 15 A. You know, it was more in the 16 context, look -- it was more in the 17 context look at this. This is what he 18 thinks of me or something like that. I 19 didn't get the -- she -- I didn't get the 20 impression she was upset about it. It 21 was -- she just wanted me to see it. 22 Q. Did she tell you that she was 23 scared of Mr. Marbury? 24 MR. GREEN: Objection to form. 25 You may answer, Mr. Moran.</p>

<p>1 MORAN</p> <p>2 A. Not at that time.</p> <p>3 Q. Did Ms. Browne-Sanders say</p> <p>4 anything else to you about these comments</p> <p>5 at the time of the Hassan Gonsalves</p> <p>6 investigation?</p> <p>7 A. I don't recall. I think that</p> <p>8 was it.</p> <p>9 Q. I just want to go back to your</p> <p>10 answer a couple of questions ago. I think</p> <p>11 you said that in response to learning of</p> <p>12 these comments by Mr. Marbury, that you</p> <p>13 didn't do anything because you believed</p> <p>14 that other management were aware of these</p> <p>15 comments?</p> <p>16 MR. GREEN: Objection.</p> <p>17 Misstates testimony.</p> <p>18 A. Yeah. I am not --</p> <p>19 MR. GREEN: You may answer.</p> <p>20 A. I'm not sure that is what I</p> <p>21 said, but I know in -- I'm not sure what I</p> <p>22 said actually.</p> <p>23 Q. Let's -- let's start over again.</p> <p>24 A. Okay.</p> <p>25 Q. What did you do, if anything, in</p>	<p>114</p> <p>1 MORAN</p> <p>2 Q. What were you investigating with</p> <p>3 respect to Mr. Manuel?</p> <p>4 A. Karen Buchholz or actually I</p> <p>5 think Anucha brought it to my attention,</p> <p>6 but I -- they were having a problem with</p> <p>7 this employee, and so I interviewed Karen,</p> <p>8 and she said this employee had</p> <p>9 been -- been very hostile to them. His</p> <p>10 work performance was poor. He had major</p> <p>11 attendance problems. He had also been</p> <p>12 involved in forging -- I don't know if he</p> <p>13 was forging -- I think he was forging his</p> <p>14 supervisor's signature on parking</p> <p>15 vouchers. So we already had that</p> <p>16 situation with him, and she said she felt</p> <p>17 intimidated by him. He was -- could be</p> <p>18 very -- could be hostile to her, and so</p> <p>19 I -- I spoke to her about that, and I</p> <p>20 spoke to Anucha about that, and I -- I</p> <p>21 interviewed Dan Gladstone about that</p> <p>22 because Dan Gladstone I believe was</p> <p>23 her -- was his direct supervisor.</p> <p>24 Dan reiterated that he had major</p> <p>25 performance problems. He had significant</p>
<p>1 MORAN</p> <p>2 response to learning of these comments?</p> <p>3 A. It -- at that point I didn't do</p> <p>4 anything. I just continued the -- the</p> <p>5 investigation of -- of Hassan because at</p> <p>6 the same time there was another situation</p> <p>7 I had to deal with in -- in -- in that</p> <p>8 department, so I -- I didn't do anything.</p> <p>9 Q. When you say there was another</p> <p>10 situation you had to deal with, what are</p> <p>11 you referring to?</p> <p>12 A. There was another employee who I</p> <p>13 had to investigate whether he should be</p> <p>14 terminated.</p> <p>15 Q. Who was that?</p> <p>16 A. That was Vernon -- Vernon</p> <p>17 Manuel.</p> <p>18 Q. Are you saying that you didn't</p> <p>19 take any action in response to the</p> <p>20 comments you learned were made by Mr.</p> <p>21 Marbury because you had to investigate Mr.</p> <p>22 Manuel's situation?</p> <p>23 A. Basically when -- I, you</p> <p>24 know -- it slipped my mind, and I didn't</p> <p>25 go back and do anything about it.</p>	<p>115</p> <p>1 MORAN</p> <p>2 absentee problems. He was insubordinate.</p> <p>3 He often refused assignments plus the</p> <p>4 hostility aspects of it, and we talked</p> <p>5 about the best way to deal with him</p> <p>6 should -- is this something to be</p> <p>7 corrected. We -- in lieu of the fact that</p> <p>8 he had already forged the signatures on</p> <p>9 the parking tickets, the fact that he was</p> <p>10 rejecting assignments, he had severe</p> <p>11 absentee problems, and -- et cetera, as</p> <p>12 they were related, we decided to terminate</p> <p>13 him.</p> <p>14 Q. Had you been aware that</p> <p>15 Mr. Manuel had forged his manager's</p> <p>16 signature prior to this -- this time?</p> <p>17 A. No, I hadn't.</p> <p>18 Q. Okay. And -- and by the way,</p> <p>19 this is -- your looking into Mr. Manuel's</p> <p>20 conduct, this is late November of 2005</p> <p>21 approximately?</p> <p>22 A. Right. I think it was the same</p> <p>23 week that we were dealing with Hassan.</p> <p>24 Q. In your experience as a human</p> <p>25 resources professional, is forging a</p>

<p>1 MORAN 2 that clear and that definitive, you know, 3 where a resource were available. They 4 know we are available to help. You know, 5 as long as, you know -- as long as we are 6 involved in the termination, then -- then 7 I think that would satisfy the policy or 8 the practice. Not the policy. 9 Q. Did you make a recommendation to 10 anyone that Mr. Manuel should be 11 dismissed? 12 A. I don't know that I made a 13 recommendation. I -- well, at -- let me 14 think about that. Actually I believe I 15 did. I told -- told Rusty McCormack that 16 we were going to terminate -- we wanted to 17 terminate him. 18 Q. What did Mr. McCormack say? 19 A. He said -- he said fine. I gave 20 him the facts, and he -- he concurred that 21 that was appropriate. 22 Q. Do you know whether Mr. 23 McCormack spoke with anyone before 24 agreeing with your recommendation to 25 dismiss Mr. Manuel?</p>	<p>126</p> <p>1 MORAN 2 MR. GREEN: Okay. 3 THE VIDEOGRAPHER: We are now 4 going off the record at approximately 5 12:45 p.m. 6 (Luncheon recess: 12:45 p.m.) 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>
<p>1 MORAN 2 A. Not that I am aware of. 3 Q. What about with respect to Mr. 4 Hassan, did you make a recommendation that 5 Mr. Hassan be dismissed? 6 A. Yes. 7 Q. To whom did you make that 8 recommendation? 9 A. Well, again, you know -- well 10 Anucha already wanted him dismissed, so 11 that wasn't -- that wasn't an issue. I -- 12 again I would have told Mr. McCormack and 13 someone at -- I don't know whether it was 14 me. Someone informed Steve Mills. I 15 don't recall who, and he -- he also 16 concurred. 17 Q. You didn't speak to Mr. Mills 18 directly about Mr. Hassan -- Mr. 19 Gonsalves' situation? 20 A. I'm not really sure. 21 Q. Did you speak to Mr. Mills 22 directly about Mr. Manuel's situation? 23 A. Again, I'm not -- I'm not sure. 24 MR. MINTZER: This might be a 25 convenient point to take lunch.</p>	<p>127</p> <p>1 MORAN 2 A F T E R N O O N S E S S I O N . 3 1:51 p.m. 4 THE VIDEOGRAPHER: We are now 5 going back on the record at approximately 6 1:51 p.m. 7 MR. MINTZER: Can you mark this 8 as 2. 9 (Moran Exhibit 2 marked for 10 identification.) 11 (Document handed to witness.) 12 MR. MINTZER: For the record, I 13 have given the witness a document that we 14 marked as -- marked as Moran 2 for 15 identification. It is a multi-page 16 document Bates stamped MSG 318 through 17 323. 18 (Pause.) 19 J O H N D. M O R A N , resumed. 20 C O N T I N U E D E X A M I N A T I O N 21 B Y M R. M I N T Z E R : 22 Q. Mr. Moran, why don't you just 23 let me know after you have had a chance to 24 look through it? 25 A. Okay.</p>

<p>1 MORAN 2 (Pause.) 3 A. Okay. 4 Q. Mr. Moran, I just ask you to 5 look at the first page, page 318, the 6 first page. Is this -- it is a little 7 hard to make out with the copy, but it 8 appears to say "file folder," and it has 9 Dan Gladstone written on the right-hand 10 side. 11 Do you see that? 12 A. Yes. 13 Q. Is this your file of your 14 interview with Dan Gladstone in connection 15 with the investigation of Hassan 16 Gonsalves? 17 A. Yes. 18 Q. And as part of your file, you 19 have the E mail that Mr. Gladstone sent to 20 Ms. Browne-Sanders that reflects the 21 comments made to Mr. Gladstone by Stephon 22 Marbury. 23 Do you see that? 24 A. Yes, I do. 25 Q. And the E mail was forwarded by</p>	<p>130 1 MORAN 2 paragraph beginning with -- it is about I 3 guess two-thirds of the way down where it 4 says "Based". 5 Do you see that? 6 A. Yes. "Based upon Hassan being 7 reprimanded Steven M. called Dan to 8 complain about Hassan's mistreatment. 9 Said it was BS and a personal attack on my 10 cousin. He was enraged for not getting 11 special treatment and used racial and 12 gender terms to refer to Anucha, black 13 bitch, et cetera. Not her team. I run 14 things, et cetera." 15 Q. Okay. In reading it you said it 16 is Steven M. Does that mean -- 17 A. I am sorry. Stephon. 18 Q. Stephon M? 19 A. Stephon. 20 Q. Okay. And are these accurate 21 notes of what Dan Gladstone told you? 22 A. Yes, I would say so. 23 Q. Can I ask you to look at the 24 next page, MSG 323. 25 A. Yes.</p>
<p>1 MORAN 2 Ms. Browne-Sanders to Steve Mills. 3 Do you see that at the top? 4 A. Yes. 5 Q. Do you know how this -- you came 6 in possession of this E mail? 7 A. No, I am -- I'm not sure. 8 Q. Did Mr. Mills give you a hard 9 copy of this E mail? 10 A. No. I am pretty certain he 11 didn't give it to me. 12 Q. Do you have any idea of how 13 you -- how you got this? 14 A. I -- I thought I 15 received -- actually received my own copy. 16 I mean it is clearly not here, but I -- 17 Q. Okay. 18 A. I thought I got my own E mail. 19 Q. Okay. Can I ask you just to 20 look at the second page of the notes. 21 A. Of my notes. 22 Q. Yeah. Of your notes, your 23 handwritten notes, 322. 24 A. Yes. 25 Q. Could I ask you to read the</p>	<p>131 1 MORAN 2 Q. You -- you wrote Dan Gladstone's 3 name in what appears to be a series of 4 questions? 5 A. Um hum. 6 Q. Do you remember the context 7 in -- that you wrote these -- these 8 questions? 9 A. Let me just look at them again. 10 Q. Um hum. 11 (Pause.) 12 A. Well, I -- I think I was trying 13 to determine when -- when the first 14 conversation was. He is relating 15 conversations -- he is now relating the 16 conversation that took place back in June 17 I guess. So I was trying to figure 18 out -- I was trying to figure out since it 19 was, you know, six months ago when it 20 happened because I am not sure I had that 21 E mail then and what the -- what the 22 context of the whole thing was, and I 23 remember Dan -- I don't have it in my 24 notes, but I remember at some point it all 25 sort of fit together for me that, you</p>

<p>1 MORAN</p> <p>2 Karen a similar scenario, and maybe Karen</p> <p>3 related back to me, but --</p> <p>4 Q. So you might have heard this</p> <p>5 second hand from Ms. Buchholz?</p> <p>6 A. Well, I think the initial -- I</p> <p>7 believe I heard it from Anucha, but then I</p> <p>8 might have heard it back through Karen.</p> <p>9 Q. And they both told you that this</p> <p>10 was an issue of seating Ms. -- some member</p> <p>11 of Mr. Marbury's family at the game?</p> <p>12 A. That's correct.</p> <p>13 Q. It wasn't to your recollection</p> <p>14 an issue about whether a member of the</p> <p>15 family could go back into the locker room</p> <p>16 area?</p> <p>17 A. That part I didn't -- I don't</p> <p>18 recall that part.</p> <p>19 Q. So is it your understanding that</p> <p>20 one of Mr. Marbury's family members</p> <p>21 weren't -- wasn't permitted to attend the</p> <p>22 game?</p> <p>23 A. You know, I am not clear on</p> <p>24 that. That is my recollection, but that</p> <p>25 they actually couldn't attend the game but</p>	<p>138</p> <p>1 MORAN</p> <p>2 Thomas had set down that day or the day</p> <p>3 before?</p> <p>4 A. Yes. So I -- that is my</p> <p>5 understanding. It is that -- I would have</p> <p>6 hoped that or -- that she would have gone</p> <p>7 to Isiah just to double-check, since it</p> <p>8 was his first game, and it was such an</p> <p>9 emotional evening, but she didn't,</p> <p>10 but -- and yes, that is what happened.</p> <p>11 Q. When you say you would have</p> <p>12 hoped --</p> <p>13 A. Yeah.</p> <p>14 Q. -- you would have hoped when you</p> <p>15 learned of this from Ms. Browne-Sanders?</p> <p>16 A. Well, I -- I would have liked to</p> <p>17 have heard that night before she told</p> <p>18 him -- before they got into a</p> <p>19 confrontation just to go back to Isiah and</p> <p>20 say, hey, Isiah I know what you said, and</p> <p>21 he's got some family members here. This</p> <p>22 is a big night for him. Can we make an</p> <p>23 exception, and it seems like Isiah would</p> <p>24 have, but at that point it was too late.</p> <p>25 Q. Okay.</p>
<p>1 MORAN</p> <p>2 -- I don't know. It seems so severe to</p> <p>3 me. I just don't know whether that</p> <p>4 happened or not, but that is my</p> <p>5 understanding. Yeah.</p> <p>6 Q. I think you used the word</p> <p>7 credentialing. What does what mean?</p> <p>8 A. Well, I guess there are certain</p> <p>9 seats reserved for family, you know,</p> <p>10 celebrities, et cetera, and if you don't</p> <p>11 have, you know, the right passes,</p> <p>12 credentials that you can't get in that</p> <p>13 area. And so he wanted them to be in this</p> <p>14 certain area, which I take it were the</p> <p>15 better seats, and she said no.</p> <p>16 Q. And do you know was she applying</p> <p>17 a policy that Mr. Thomas had established?</p> <p>18 A. Yes. That there -- that -- I</p> <p>19 think that day or somewhere before the</p> <p>20 game they talked about who would be</p> <p>21 credentialed and who wouldn't. Yes,</p> <p>22 that's correct.</p> <p>23 Q. Okay. To your understanding,</p> <p>24 Ms. Browne-Sanders was applying the policy</p> <p>25 to Mr. Marbury's family member that Mr.</p>	<p>139</p> <p>1 MORAN</p> <p>2 THE VIDEOGRAPHER: Counsel, you</p> <p>3 have five minutes.</p> <p>4 MR. MINTZER: Why don't we --</p> <p>5 THE VIDEOGRAPHER: Do you it</p> <p>6 now?</p> <p>7 MR. MINTZER: Why don't you</p> <p>8 change the tape now.</p> <p>9 THE VIDEOGRAPHER: We are now</p> <p>10 going off the record at approximately 2:08</p> <p>11 p.m.</p> <p>12 (Discussion held off the</p> <p>13 record.)</p> <p>14 (Moran Exhibit 3 marked for</p> <p>15 identification.)</p> <p>16 (Document handed to witness.)</p> <p>17 THE VIDEOGRAPHER: Now going</p> <p>18 back on the record at approximately 2:09</p> <p>19 p.m. This is videotape number 3.</p> <p>20 Q. Mr. Moran, I have given you a</p> <p>21 document that has been marked for</p> <p>22 identification as Moran 3. It's MSG 300</p> <p>23 through 307.</p> <p>24 MR. MINTZER: I'll -- also I'd</p> <p>25 ask counsel, page 306, the notes seem to</p>

<p>1 MORAN 2 be cut off on the bottom, so I would ask 3 if we could be provided with a better copy 4 of that. 5 MR. GREEN: Okay. 6 Q. Mr. Moran, you know, you are 7 obviously welcome to look at the whole 8 thing. I am going to ask you to focus on 9 some material on page 306 and 307. 10 A. Let me just look at it, so I get 11 the context of it. 12 Q. That's fine. 13 (Pause.) 14 A. Okay. 15 Q. Does -- Moran 3, is this 16 your -- your file reflecting your notes of 17 conversations with [REDACTED] in 18 connection with the Hassan Gonsalves 19 investigation? 20 A. Yes. 21 Q. Could I ask you to take a look 22 at page 306, please. About the middle of 23 the page, if you could read for me 24 starting with "had to work." Do you see 25 that?</p>	<p>142 1 MORAN 2 had to get to work, but I don't know that 3 for certain. 4 Q. And where it said towards the 5 end of that -- that paragraph mid to late 6 April I told him I was seeing someone, do 7 you know what that refers to? 8 A. Yeah. She was -- she was -- she 9 was trying to -- she had this relationship 10 with Hassan, and she was trying to end it. 11 So her way of -- her way of politely 12 ending it is telling him I am seeing 13 somebody else. 14 Q. Okay. Okay. And can I ask you 15 to take a look at page 307. 16 A. Yes. 17 Q. It looks like on the fourth 18 paragraph down you wrote a series of 19 questions. 20 A. Yes. 21 Q. And these were questions related 22 to Mr. Marbury sending Ms. [REDACTED] text 23 messages? 24 A. Yes. 25 Q. Did you get answers to those</p>
<p>1 MORAN 2 A. Yes. "Had to work at 7:15. 3 Hassan said I will take you. Walking to 4 Hassan truck Stephon was there. Where are 5 you going? Why don't you come in? Had sex 6 with him. After got out of SUV, Hassan 7 took me home. Mid to late April I told 8 him I was seeing someone." You want me to 9 keep going? 10 Q. Yes, please. 11 A. "Stephon text a couple of times. 12 When can I get that again?" 13 Q. And the notes appear to be cut 14 off, right? 15 A. Yeah. It says -- 16 Q. Okay. That's fine. 17 A. Yeah. 18 Q. When -- do you recall what 19 Ms. [REDACTED] was telling you that she said 20 had to work at 7:15, what that was 21 referring to? 22 A. I think she meant she had -- I'm 23 not sure where because I'm not -- I don't 24 know if she had another job or not, but I 25 took that as a 7 a.m. in the morning she</p>	<p>143 1 MORAN 2 questions? 3 A. Well, sort of. The Steven text 4 she said that -- before she said here a 5 couple of times -- I guess that answers 6 the second question also -- last time. 7 I'm not sure -- I'm not sure I got that. 8 Then she says when did you see him last? 9 She -- the only time she was him was at 10 the time with the SUV, and then she said 11 yes, it was consensual, and he didn't 12 force -- he didn't force 13 him -- himself -- he didn't force himself 14 on you was the question, and she says no. 15 I never said no. 16 Q. Do you know why you were writing 17 these questions about did he text you from 18 that question after Ms. [REDACTED] had 19 previously told you in the conversation 20 that he had? 21 A. You know, I'm not really sure 22 why I wrote them. 23 Q. Was Ms. Noel present for this 24 conversation? 25 A. I am pretty certain she</p>

<p>1 MORAN 2 was -- that she was at all the interviews, 3 yes. 4 Q. Okay. You -- if you can go over 5 to page 302. 6 A. Yes. 7 Q. You -- 8 A. Oh, wait a minute. No. No. 9 Q. Yeah. 10 A. Let me back up. It is 11 not -- no, I don't think she was there. I 12 am sorry. 13 Q. Okay. Who -- who were the 14 attendees of this conversation? 15 A. On page 302? 16 Q. Yes. 17 A. Anucha was there, Karen 18 and -- and [REDACTED] of course because that 19 is who we are talking to. 20 Q. Okay. And then page -- does 21 page 304 reflect notes of another 22 conversation with Ms. [REDACTED]? 23 A. Pages 0 -- 302 and 303 go 24 together. 25 Q. Right.</p>	<p>146</p> <p>1 MORAN 2 row, and then I am might not go for two 3 weeks, but I probably maybe attended two 4 out of four for -- for, you know, an 5 extended period. 6 Q. So if there were four held in a 7 month, you approximately went to two of 8 them? 9 A. Yes. 10 Q. And for what period of time was 11 that? 12 A. I think -- I'd say up until the 13 time she left. I'm not sure when I 14 started but approximately over a year and 15 a half to two years maybe. 16 Q. About how many people attended 17 these meetings? 18 A. They were pretty -- it was a 19 fairly large room. I would say 20 15 -- maybe 15. 21 Q. And these were members of the 22 basketball -- 23 MR. MINTZER: Strike that. 24 Q. These were members of the 25 business operations staff for the Knicks?</p>
<p>1 MORAN 2 A. Yes, 304 is a separate 3 conversation. 4 Q. Okay. 5 A. And -- and that one was probably 6 just with me. 7 Q. Just you and Ms. [REDACTED]? 8 A. Yes. 9 Q. Do you know where you had that 10 conversation? 11 A. It probably would have been in 12 my office. It doesn't say it was on the 13 phone, but it was probably in my office. 14 Q. That was a follow-up to the 15 first conversation you had? 16 A. Yes. 17 Q. Did you personally work with 18 Ms. Browne-Sanders on any -- any matters 19 at Madison Square Garden? 20 A. I -- I don't know that we 21 actually worked on any assignments. She 22 held a weekly staff meeting, which I 23 attended. I didn't attend every week, but 24 I tried to get there when I got there. 25 So, you know, I might go two weeks in a</p>	<p>147</p> <p>1 MORAN 2 A. Right. Some of those -- some of 3 those were her direct reports, but there 4 were -- there were -- there were people 5 there who didn't report to her. Frank 6 Murphy came and folks like that. 7 Q. Anyone outside of business 8 operations other than Mr. Murphy attend on 9 a regular basis? 10 A. Usually the attorney assigned to 11 Anucha was there. 12 Q. Who was that? 13 A. Ron Dershowitz. The gentleman 14 in charge of suite sales of suite 15 sales -- 16 Q. Who was that? 17 A. -- was there. Give me a second 18 to get his name. 19 Q. Um hum. 20 A. Brian Lafermina. Joel Fischer, 21 who was senior VP of sports -- sports 22 operations. He -- he didn't have the 23 Knicks or Rangers but other sports like 24 college and boxing. I mentioned -- well 25 Frank Murphy was sort of part of that</p>

<p>1 MORAN 2 Q. Okay. And from that point on 3 she continued to come to work, correct? 4 A. I believe so, yes. 5 Q. You didn't at any point after 6 she raised those concerns to you before 7 her lawyers got in touch with The Garden 8 tell her that she couldn't come to work 9 because of security concerns, correct? 10 A. Correct. 11 Q. And then after she made a 12 complaint through her lawyers, you say you 13 sent a letter to her and said that she 14 couldn't come to work because of security 15 concerns? 16 MR. GREEN: Objection to form. 17 You may answer, Mr. Moran. 18 A. Yeah. I -- well, during 19 the -- when we were in this room and she 20 was making her allegations, I recall -- I 21 recall that she again reiterated her 22 concerns for her security very similar to 23 the same concerns she reiterated on 24 November 29. It was a month later. So it 25 was based on those discussions</p>	198	<p>1 MORAN 2 interview that you had with her. 3 MR. GREEN: Objection to form. 4 Mischaracterizes prior testimony. 5 Q. Okay. Is that accurate? 6 MR. GREEN: Same objection. 7 A. I -- I believe so, but I would 8 have to review the letters on the timing. 9 Q. Is there any other reason other 10 than the statements that she made in the 11 interview that you would -- that you know 12 of why you would have told her not to come 13 to work because of security concerns? 14 MR. GREEN: Objection. Asked 15 and answered. You may answer it again, 16 Mr. Moran. 17 A. Well, I was under the impression 18 that when she and I talked she 19 didn't -- she didn't -- she didn't object 20 that when -- when I said it is my 21 understanding the attorneys had an 22 agreement that you weren't 23 coming -- because I guess there were some 24 discussions going on between counsel that 25 until the -- until that was resolved and</p>	200
<p>1 MORAN 2 that -- and -- you would have to help me 3 with the time frames, but it was based 4 upon those renewed concerns about her 5 security that -- that we issued that 6 letter is my understanding. 7 Q. Mr. Moran, so your recollection 8 is that -- that you interviewed 9 Ms. Browne-Sanders, and then you sent her 10 a letter saying that -- that she couldn't 11 come back to work because of security 12 concerns? 13 MR. GREEN: Objection to form. 14 A. I -- I really don't recall the 15 timing and the -- I know there were -- I 16 am sure you probably have them. There 17 were letters that went back and forth, and 18 then finally she -- well, I don't know. I 19 am confused on the timing at this point. 20 Q. Mr. Moran, my -- you are -- what 21 I am -- let me ask a few questions. 22 You -- you just testified that 23 you instructed Ms. Browne-Sanders not to 24 come to work because of security concerns. 25 based on statements that she made in an</p>	199	<p>1 MORAN 2 the investigation was resolved, that she 3 wasn't going to come back to work, and we 4 had that conversation, and she 5 didn't -- she didn't -- she didn't tell me 6 that was wrong. 7 Q. You think you had that 8 conversation with her after her interview, 9 your interview with her? 10 A. It might have been before. I am 11 not sure at this point. I am not sure. 12 MR. MINTZER: Can I ask you to 13 mark this as 4. 14 (Moran Exhibit 4 marked for 15 identification.) 16 (Document handed to witness.) 17 MR. GREEN: Take your time to 18 read it. 19 THE WITNESS: Okay. 20 MR. MINTZER: For the record, 21 Moran Exhibit 4 for identification is a 22 one-page document Bates stamped MSG 4230. 23 (Pause.) 24 A. Okay. 25 Q. Reading this letter, does it</p>	201

<p>1 MORAN 2 refresh your recollection that you 3 instructed Ms. Browne-Sanders that she 4 should not come to the office before you 5 had your interview with her? 6 A. Yes, it does. 7 Q. Okay. 8 A. Yes. 9 Q. And -- first of all, is this a 10 letter that you signed? 11 A. Yes. 12 Q. And did you write this letter? 13 A. No. 14 Q. Did Mr. Schoenfeld write this 15 letter? 16 A. I'm not sure who wrote the 17 letter. 18 Q. How did it come to your -- your 19 attention? 20 A. It would have been through one 21 of our counsel. 22 Q. So one of your counsel presented 23 you this letter and asked you to sign it? 24 MR. GREEN: Objection to form. 25 A. Well, they -- they asked me to</p>	<p>202 1 MORAN 2 A. Well, again she was -- I don't 3 know. She was making -- she was making 4 statements, and I don't know how often, 5 but she had been -- I know at least on 6 that one occasion about her security and 7 that she was afraid of -- well, concerned 8 about her security. 9 Q. The statement to you that she 10 made that was approximately a month before 11 you sent this letter, right? 12 A. Yes. 13 Q. And she came to work for several 14 weeks after she first made that statement 15 to you, correct? 16 A. That's correct. 17 Q. And so your instruction to her 18 not to come to work because of concerns 19 about her personal safety only was made 20 after you were aware that her counsel had 21 complained about discrimination and 22 harassment? 23 MR. GREEN: Objection to form. 24 You may answer, Mr. Moran. 25 A. I'm sorry. Do that again for</p>
<p>1 MORAN 2 read it, and -- and then it -- was it 3 consistent with my understanding, and I 4 wanted to make sure I understood it, and, 5 yeah, I mean I signed it. 6 Q. Okay. Did you make any changes 7 to it before you signed it? 8 A. I don't believe so. 9 Q. The -- in the third paragraph 10 where the letter refers to what 11 we "-- what you have expressed as your 12 concerns about your personal physical 13 safety" -- 14 A. Um hum. 15 Q. -- what were you referring to 16 there? 17 A. I am sorry. Where is it? 18 Q. In the third paragraph. You 19 refer to "including particularly what you 20 have expressed as your concerns about your 21 personal physical safety," do you see 22 that? It is in the third and fourth line 23 in the third paragraph. 24 A. Um hum. 25 (Pause.)</p>	<p>203 1 MORAN 2 me? 3 Q. Your instruction to 4 Ms. Browne-Sanders not to come to the 5 office out of concerns for her personal 6 safety -- 7 A. Um hum. 8 Q. -- you only made -- 9 MR. MINTZER: Strike that. 10 Q. You only gave Ms. Brown-Sanders 11 the instruction not to come to work after 12 her counsel complained about 13 discrimination on her behalf? 14 MR. GREEN: Objection. 15 Q. Is that true? 16 MR. GREEN: Objection to form. 17 You may answer, Mr. Moran. 18 A. Well, it might have been after, 19 but I don't -- I didn't see any connection 20 at the time. 21 Q. Whose decision was it for 22 Ms. Browne-Sanders not to come back into 23 the office? 24 A. I -- I don't know. 25 Q. Who informed you of that?</p>

<p>1 MORAN 2 A. Well, I was asked if -- I was 3 asked if I was aware that she had 4 made -- had been concerned about her 5 safety, and I said I had, and I don't 6 recall which counsel I was -- that would 7 have asked me these questions at this 8 point. 9 Q. My question was who informed you 10 of the decision to tell Ms. Browne-Sanders 11 that she couldn't come to work while the 12 investigation was pending? 13 A. I believe it was Mark 14 Schoenfeld. 15 Q. In this letter you had also 16 asked that Ms. Browne-Sanders reconsider 17 what you understood to be her decision not 18 to be interviewed? 19 A. Yes. 20 Q. Did you receive a response to 21 that request? 22 A. Yes, I did. 23 Q. And what was the -- what was the 24 response? 25 A. It was -- I believe it was a</p>	<p>206 1 MORAN 2 sorry. 3 Q. Let me know after you have had a 4 chance to look at it. 5 (Pause.) 6 A. Okay. 7 Q. Do you recognize this document, 8 Mr. Moran? 9 A. Yes, I do. 10 Q. This was the letter that 11 Ms. Browne-Sanders sent to you in response 12 to your letter that you signed Moran 4? 13 A. Yes. 14 Q. And among other things 15 Ms. Browne-Sanders expressed her 16 willingness to be interviewed in this 17 letter? 18 A. Yes. 19 Q. Does this letter also refresh 20 your recollection that Ms. Browne-Sanders 21 complained of being retaliated against? 22 I'll call your attention to the third 23 paragraph in the first sentence. 24 A. I am sorry. The third sentence, 25 you want me to read it.</p>
<p>207 1 MORAN 2 letter from Anucha saying that she would 3 give me a call and would -- would set up a 4 date or something like that. 5 Q. So Ms. Browne-Sanders expressed 6 her willingness to be interviewed? 7 A. That's correct. 8 THE VIDEOGRAPHER: Counsel, 9 there are four minutes left on this tape. 10 MR. MINTZER: You want to 11 change it. 12 THE VIDEOGRAPHER: Okay. Now 13 going off the record at approximately 3:37 14 p.m., the end of tape 3. 15 (Recess taken.) 16 (Moran Exhibit 5 marked for 17 identification.) 18 THE VIDEOGRAPHER: This is the 19 beginning of tape number 4. We are going 20 back on the record at approximately 3:47 21 p.m. 22 MR. MINTZER: For the record, I 23 have given the witness an exhibit that has 24 been marked for identification as Moran 6, 25 MSG 4228 to 29. 5, Exhibit 5. I am</p>	<p>209 1 MORAN 2 Q. I am sorry. The third 3 paragraph. 4 A. Yes. There is -- I see 5 retaliation. 6 Q. Did you -- at the time that you 7 got this letter, did you understand that 8 Ms. Browne-Sanders was expressing a 9 concern about retaliation? 10 A. Yes. Yes. 11 Q. What, if anything, did you do in 12 response to Ms. Browne-Sanders concern? 13 A. Well, if I have my timing right, 14 we were -- we were still -- we were doing 15 our investigation. It was still going 16 forward, so -- 17 Q. The issue Ms. Browne-Sanders was 18 raising was the failure to allow her 19 to -- 20 MR. MINTZER: Strike that. 21 Q. Ms. Browne-Sanders was raising 22 the issue about whether she could come 23 back to the office, correct? 24 A. Yes. 25 Q. And she was saying that the</p>